

6/1/2015

Anniston, Alabama
June 1, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, June 1, 2015, at approximately 5:38 o'clock p.m.

Bersheba Austin prayed the Invocation.

Bersheba Austin led the Pledge of Allegiance to the Flag.

Vice-Mayor Selase called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, and Harris; absent: Mayor Stewart. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of the minutes of May 18, 2015. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Harris made a motion to approve the minutes of May 18, 2015. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins made a motion to add to the agenda under the consent agenda a motion to approve a change order to the Michael Tucker Park Camp Site Project in the amount of \$38,170.00, to delete from the agenda a resolution authorizing the conveyance of the Victoria Inn to the Anniston Downtown Development Authority and to add to the agenda a resolution appointing a member to the Regional Medical Center Board. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Phillip Noble, 1305 Glenwood Terrace, addressed the Council concerning Alabama Senate Bill 404 which removed the three year limit on a firm performing the City's audit and stated the City should make sure their auditors have the experience in dealing with fraud investigations and fraud auditing.

6/1/2015

Vice-Mayor Selase announced that was the time for the Board Confirmation Hearing for Larry May, Lewis Downing, Dottie Cassandra Rimpsey, and Ashley Bass Martin and their nominations to the Anniston Main Street Board.

Treacy Hunter addressed the Council on behalf of the Anniston Police Citizen's Advisory Council and stated they were trying to bridge the gap between the police department and the community.

Glen Ray addressed the Council concerning the Stormwater Ordinance. He stated the Clean Water Act is a federal act. He asked if they were aware of the City being under the Clean Water Act and not having yet been cleared under this act. He stated PCBs have been in the city for thirty to forty years. He stated that the EPA had told him that they had given the city approximately \$17,000.00. He stated those polluting the water should be paying to clean it. He stated he did not think the City knew they were under a court order to clean up.

Brian Johnson, City Manager, stated the City of Anniston is not under a court order. He stated there is a court order to clean up certain geographic areas of the city but the City government was not under a court order from a judge. He stated he thought Mr. Ray was confusing the Clean Water Act and the regulatory compliance burden that it places on local governments as the only reason the City has stormwater user fees. He stated the City has an extensive drainage system that it must maintain.

Mr. Ray stated that they needed to read what was passed in Montgomery.

Vice-Mayor Selase announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (burned buildings) at the following locations; 401 W. 22nd Street, 1401 Stephens Avenue and 1605 Brown Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Tana Bryant, Code Enforcement, addressed the Council on behalf of the owners of 1605 Brown Avenue.

Vice-Mayor Selase asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

No one else addressed the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Vice-Mayor Selase declared the public hearing to hear objections to the proposed abatement of identified nuisances (burned buildings) at the following locations; 401 W. 22nd Street, 1401 Stephens Avenue and 1605 Brown Avenue closed.

Vice-Mayor Selase announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris) at 424 River Street; declared the hearing

6/1/2015

open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said location.

No one addressed the Council concerning objections to the proposed abatement of identified nuisances at said location.

Vice-Mayor Selase declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris) at 424 River Street closed.

Vice-Mayor Selase announced that was the time for the public hearing regarding a Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street, declared the public hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.

No one addressed the Council either in favor of or in opposition to said Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.

Vice-Mayor Selase declared the public hearing regarding a Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street closed.

Council Member Jenkins made a motion to approve the Consent Agenda items:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-02 – Burned Buildings)
- (c) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-04 – Debris)
- (d) Resolution amending the Schedule of Nominations assigning and designating the positions on each Municipal Board, Commission and Authority to specific Ward Councilmembers and to the Office of the Mayor and appointing members to the Anniston Main Street Board.
- (e) Resolution accepting the resignation of a Regional Medical Center Board Member.
- (f) Motion to approve a Restaurant Retail Liquor application for J & L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.
- (g) Evaluation of bids for demolition of substandard structures.
- (h) Evaluation of bids for Carver Park Phase II.
- (i) Evaluation of bids for telephone system/service for City facilities.
- (j) A motion to approve a change order to the Michael Tucker Park Camp Site Project in the amount of \$38,170.00

6/1/2015

The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Steven Folks, Parks and Recreation Director, addressed the Council concerning the progress of the Carver Park Phase II and stated this would involve a different playground for this site.

Council Member Harris made a motion to waive the one month notice required for board appointments. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Harris introduced and read Resolution Number 15-R-57 as follows:

(15-R-57, RMC board appointment)

Council Member Harris made a motion for the passage and adoption of Resolution Number 15-R-57 as introduced and read. The motion was seconded by Council Member Jenkins.

Vice-Mayor Selase announced that was the time for the Board Confirmation Hearing for Paula Watkins and her nomination to the Regional Medical Center Board.

On call of the roll on Council Member Harris' motion for the passage and adoption of Resolution Number 15-R-57 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 15-R-57 was passed and adopted.

Council Member Reddick thanked Phillip Noble for his comments about Senate Bill 404 and he hoped the Council would not take advantage of this bill.

Council Member Harris stated she was not totally familiar with Senate Bill 404 but she had read that Anniston was one of only three cities in Alabama that was constrained by having term limits for their auditors.

Council Member Selase stated everyone should visit the Downtown Farmer's Market. He thanked the National Park Service concerning the designation study for Freedom Riders Parks. He stated that the Heritage Festival would be coming up in the month of June.

There being no further business to come before the meeting at that time Council Member Reddick made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried and the meeting was adjourned at approximately 6:27 o'clock p.m.